

**Transcend Multimedia, LLC**

**Annual CPNI Certification**

**47 C.F.R. §64.2009(e)**

**EB Docket No. 06-36**

**COMPANY NAME:** Transcend Multimedia, LLC

**FILER ID:** 825497

**OFFICER:** Patrick Hafner

**TITLE:** Officer

I, Patrick Hafner, hereby certify that I am an officer of Transcend Multimedia, LLC ("Transcend") and that I am authorized to make this certification on behalf of Transcend. I have personal knowledge that Transcend has established operating procedures that are adequate to ensure compliance with the Commission's rules governing Customer Proprietary Network Information ("CPNI"), to the extent that such rules apply to Transcend or to any of the information obtained by Transcend. *See* 47 C.F.R. §64.2001 et seq.

Attached to this certification is an accompanying statement explaining the procedures Transcend employs to ensure that it complies with the requirements set forth in §64.2001 et seq. of the Commission's rules, to the extent that such requirements apply to Transcend or to the information obtained by Transcend.

Signed:



Date:

*Feb 24, 2010*

## **Transcend Multimedia, LLC**

### **STATEMENT OF POLICY REGARDING CUSTOMER PROPRIETARY NETWORK INFORMATION**

In accordance with Section 222 of the Communications Act and the Federal Communications Commission's ("FCC") CPNI Rules (47 C.F.R. Section 64.2001, *et seq.*), Transcend Multimedia, LLC ("Transcend") files this Statement of Policy outlining the Company's procedures for accessing, using and storing Customer Proprietary Network Information ("CPNI").

Transcend provides telecommunications services to retail customers. Therefore, because Transcend may access, use, or store CPNI when providing these types of services, the Company undertakes the steps outlined in this Statement of Policy to protect CPNI from unauthorized access or misuse.

#### **Definition of CPNI**

Under federal law, CPNI is certain customer information obtained by a telecommunications provider during the course of providing telecommunications services (including interconnected VoIP) to a customer. This includes information relating to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier.

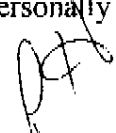
Examples of CPNI include information typically available from telephone-related details on a monthly bill such as the types of services purchased by a customer, numbers called, duration of calls, directory assistance charges, and calling patterns. CPNI does not include names, addresses, and telephone numbers, because that information is considered subscriber list information under applicable law.

#### **Use of CPNI**

It is the policy of Transcend not to use CPNI for any activity other than as permitted by applicable law. Any disclosure of CPNI to other parties (such as affiliates, vendors and agents) occurs only if it is necessary to conduct a legitimate business activity related to the services already provided by Transcend to the customer. If Transcend is not required by law to disclose CPNI or if the intended use is not otherwise permitted under FCC Rules, the Company will first obtain the customer's consent prior to using or sharing CPNI.

Transcend follows industry-standard practices to prevent unauthorized access to CPNI by a person other than the subscriber or Company. However, Transcend cannot guarantee that these practices will prevent every unauthorized attempt to access, use, or disclose personally identifiable information.

#### **CPNI Notification**



If an unauthorized disclosure of CPNI occurs, Transcend shall provide notification of the breach within seven (7) days to the United States Secret Service ("USSS") and the Federal Bureau of Investigation ("FBI").

Transcend shall wait an additional seven (7) days from its government notice prior to notifying the affected customers of the breach.

Notwithstanding the above, Transcend shall not wait the additional seven (7) days to notify its customers if the Company determines there is an immediate risk of irreparable harm to the customers.

Transcend shall maintain records of discovered breaches for a period of at least two (2) years.

### **Customer Complaints**

Transcend has not received any customer complaints in the past year concerning the unauthorized release of or access to CPNI.

### **Actions taken against Pretexters**

Transcend has not taken any actions against data brokers before state commissions, state or federal courts, or the FCC in the past year. Transcend has no information, other than information that has been publicly reported, regarding the processes that pretexters are using to attempt to access CPNI.

### **Annual CPNI Certification**

Pursuant to FCC regulations, 47 C.F.R. § 64.20089(e), Transcend will annually submit to the FCC, prior to March 1st, a CPNI Certification of Compliance and accompanying Statement regarding the company's CPNI policies and operating procedures. These documents certify that Transcend complied with federal laws and FCC regulations regarding the protection of CPNI throughout the prior calendar year.



Transcend will also implement a system to obtain prior approval and informed consent from its customers in accordance with the CPNI Rules. This system will allow for the status of a customer's CPNI approval to be clearly established prior to the use of CPNI.

Prior to commencement of a sales or marketing campaign that utilizes CPNI, Transcend will establish the status of a customer's CPNI approval. The following sets forth the procedure that will be followed by the Company:

- Prior to any solicitation for customer approval, Transcend will notify customers of their right to restrict the use of, disclosure of, and access to their CPNI.
- Transcend will use opt-in approval for any instance in which Company must obtain customer approval prior to using, disclosing or permitting access to CPNI.
- A customer's approval or disapproval remains in effect until the customer revokes or limits such approval or disapproval.
- Records of approvals are maintained for at least one year.
- Transcend provides individual notice to customers when soliciting approval to use, disclose or permit access to CPNI.
- The CPNI notices sent by Transcend comply with FCC Rule 64.2008(c).

Transcend will also establish a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and will maintain compliance records for at least one (1) year.

#### *FCC Notification*

Company is prepared to provide written notice within five (5) business days to the FCC of any instance where the opt-in mechanisms do not work properly or to such a degree that consumers' inability to opt-in is more than an anomaly.

#### **Third Party Use of CPNI**

To safeguard CPNI, prior to allowing joint venturers or independent contractors access to customers' individually identifiable CPNI, Transcend will require all such third parties to enter into a confidentiality agreement that ensure compliance with this Statement of Policy and Transcend shall also obtain opt-in consent for a customer prior to disclosing the information to such third parties. In addition, Transcend requires all outside agents to acknowledge and certify that they may only use CPNI for the purpose for which that information has been provided.

Transcend requires express written authorization from the customer prior to dispensing CPNI to new carriers, except as otherwise required by law.

Transcend does not market or sell CPNI information to any third party.

#### **Law Enforcement Notification of Unauthorized Disclosure**